UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

LUIS NITSCHE,

Case No. 1:17-cv-317

Plaintiff,

Judge Timothy S. Black

VS.

Magistrate Judge Karen L. Litkovitz

ALLYSON ALDRIDGE, et al.,

Defendants.

DECISION AND ENTRY ADOPTING THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 8) AND TERMINATING THIS CASE

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and memoranda filed with this Court, and on December 1, 2017, submitted a Report and Recommendation. (Doc. 8). No objections were filed.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendation should be and is hereby **ADOPTED** in its entirety.

Accordingly:

1. The Report and Recommendation (Doc. 8) is **ADOPTED**;

- 2. Plaintiff's complaint (Doc. 3) is **DISMISSED** without prejudice for failure of service; and
- 3. The Clerk shall enter judgment accordingly, whereupon this case is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: <u>12/18/17</u>

Timothy S. Black

United States District Judge